

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Respondent,

No. CR S-99-0433 WBS GGH

vs.

SON VAN NGUYEN,

Movant.

ORDER

By order filed on August 26, 2010, respondent was temporarily relieved of its obligation to file an answer in response to movant's 28 U.S.C. § 2255 motion so that it could be determined whether habeas counsel would be appointed for movant. In addition, movant's pro se motions for leave to supplement his § 2255 motion and to conduct discovery were vacated without prejudice. Counsel for movant has been appointed.

Accordingly, IT IS ORDERED that within twenty-eight days of this order, the parties shall file a joint scheduling statement which addresses the timing and order of the following matters:

1. The number of days movant's counsel estimates it will take to file either:

a.) A statement indicating movant will stand on the existing §2255

1 motion, and supplemental memorandum of points and authorities, if any; or

2 b.) An amended § 2255 motion.

3 2. Discovery and investigations;

4 3. Anticipated motions;

5 4. The need for and timing of an evidentiary hearing;

6 5. Possible future amendments to the pleadings.

7 Counsel are reminded of the importance of timely filing a joint scheduling statement. Failure to
8 do so may result in sanctions.

9 DATED: November 23, 2010

12 /s/ Gregory G. Hollows

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14 UNITED STATES MAGISTRATE JUDGE

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